

JAN - 8 2009

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

CHARLES FRANKLIN KITTS, ET AL. : DOCKET NO. 2:07-CV-1151

v. : JUDGE MINALDI

CITGO PETROLEUM INC. : MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that the defendant's Motion to Dismiss or Strike plaintiffs' Motion to Certify Class and Dismiss or Strike Plaintiffs' Class Action Allegations [doc. 30] is hereby GRANTED.

Lake Charles, Louisiana, this 7 day of Jan, 2009.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE